

SEP 28 2006

Docket No. 740756-2718

Application No. 10/804,053

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## REMARKS

The Office Action of June 28, 2006 was received and reviewed. The Examiner is thanked for reviewing the application. Reconsideration and withdrawal of the currently pending rejections are requested for the reasons advanced in detail below.

Claims 1-3, 5-11, 13-15, 34-36, 38-44, 46, 63-67, 69-76 and 78-79 are pending for consideration, of which claims 1, 7, 34, 39, 63 and 72 are independent.

Claims 1-3, 5-11, 13-15, 34-36, 38-44, 46, 63-67, 69-76 and 78-79 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Yamazaki et al. (U.S. Patent 6,781,162 – hereafter Yamazaki) in combination with Kihira et al. (U.S. Patent 6,631,022 – hereafter Kihira) and Fukui et al. (US Patent 5,755,938 – hereafter Fukui). Further, claims 1-3, 5-11, 13-15, 34-36, 38-44, 46, 63-67, 69-76 and 78-79 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Yamazaki in combination with Kihira for the reasons set forth in the rejection in the Office Action dated 01/04/06. These rejections are respectfully traversed at least for the reasons provided below.

Independent claims 1, 7, 15, 34, 39, 63 and 72 at least recite that (i) forming a first film in a chamber by a CVD method, (ii) installing a substrate into the chamber after forming the first film, and (iii) forming a second film (i.e., a silicon nitride film, as recited in claims 7, 39 and 63) by a sputtering method using the first film in the same chamber. In other words, the first film that was formed by the CVD method is used as a target material for forming the second film by the sputtering method.

Regarding the features (i) and (iii), in the rejection, the Examiner is contending that Fukui teaches the features (i) and (iii) because Fukui teaches forming a plurality of films by CVD and sputtering in the same chamber to prevent exposure to unwanted oxidative atmosphere. However, Applicants respectfully disagree with the Examiner's contention for the reason that Fukui merely teaches laminating films formed by CVD and sputtering in a chamber. Applicants respectfully direct the Examiner's attention to, for example, column 1, lines 9-13, and column 4, lines 5-20 of Fukui where this feature is disclosed. Applicants respectfully assert that Fukui fails to teach, disclose or suggest forming a second film by sputtering using the first film formed by CVD in the same chamber.

Further, Applicants respectfully assert that Fukui also fails to teach forming a silicon nitride film, as recited in claims 7, 39 and 63, by sputtering.

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Regarding the feature (ii), in the rejection, the Examiner is contending that Yamazaki teaches the feature as set forth in the rejection in the Office Action dated January 4, 2006. However, Applicants respectfully disagree with this Examiner's contention for the following reason:

As the Examiner has admitted, Yamazaki, in combination with Kihira, fails to teach, disclose or suggest that a first film is formed by CVD. Therefore, Yamazaki also fails to teach, disclose or suggest the above-summarized feature (ii).

Further, it appears that Fukui installs a substrate into the chamber before forming a film in order to laminate the plurality of films and prevent exposure to unwanted oxidative atmosphere. Therefore, Fukui also fails to teach, disclose or suggest the above-mentioned feature (ii). Accordingly, Applicants respectfully assert that the claimed invention, particularly features (i), (ii) and (iii), cannot be obtained even when these references are combined. Therefore, the §103(a) rejection is not appropriate.

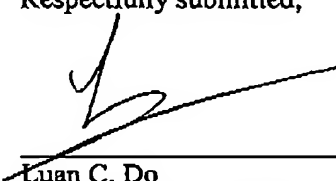
Still further, although Yamazaki teaches a target for the sputtering (as disclosed in column 26, lines 17-19), Yamazaki fails to teach, disclose or suggest that the target is formed by a CVD method. Moreover, although Kihira may teach forming a first film by CVD method., Kihira fails to teach, disclose or suggest using the first film as a target for the sputtering. Accordingly, Applicants respectfully assert that there is no a motivation or suggestion to combine Yamazaki and Kihira. Therefore, the combination of Yamazaki and Kihira in the obviousness rejection is also not appropriate.

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In view of the foregoing, it is respectfully requested that the §103(a) rejections of record be reconsidered and withdrawn by the Examiner, that claims 1-3, 5-11, 13-15, 34-36, 38-44, 46, 63-67, 69-76 and 78-79 be allowed, and that the application be passed to issue. If a conference would expedite prosecution of the instant application, the Examiner is hereby invited to telephone the undersigned to arrange such a conference.

Respectfully submitted,

  
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